

HOUSE BILL NO. 258

INTRODUCED BY S. VICK, CYR, DAVIES, FUCHS, GOLIE, WELLS, ZOOK

A BILL FOR AN ACT ENTITLED: "AN ACT ~~PROVIDING A PERMANENT REVENUE SOURCE TO FUND SHOOTING RANGE DEVELOPMENT GRANTS THROUGH THE AUCTION OF CERTAIN HUNTING LICENSES; CREATING THE SHOOTING RANGE DEVELOPMENT GRANT STATE SPECIAL REVENUE ACCOUNT; STATUTORILY APPROPRIATING MONEY IN THE ACCOUNT TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR GRANTS FOR THE ESTABLISHMENT AND IMPROVEMENT OF SHOOTING RANGES; ELIMINATING THE SUNSET PROVISION APPLICABLE TO THE SHOOTING RANGE DEVELOPMENT GRANT PROGRAM; AMENDING SECTION 17-7-502, MCA; REPEALING SECTION 9, CHAPTER 475, LAWS OF 1999; AND PROVIDING AN EFFECTIVE DATE.~~"

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~NEW SECTION. Section 1. Shooting range development grant state special revenue account created.~~ (1) There is a shooting range development grant state special revenue account in the state special revenue fund that must be used by the department for the purpose of making grants to qualified shooting range facilities under 87-1-276 through 87-1-279. The account is statutorily appropriated, as provided in 17-7-502, to the department for making the grants.

(2) The amount of money specified in this subsection from the sale of each hunting license or permit listed as follows must be deposited in the shooting range development grant state special revenue account for the exclusive use by the department for the purpose specified in subsection (1):

(a) The following special licenses and permits are set aside for the benefit and funding of the shooting range development program:

(i) 5 bighorn sheep permits;

(ii) 5 mountain goat permits;

(iii) 10 moose permits; and

(iv) 30 general nonresident big game licenses.

(b) The permits and licenses set aside in subsection (2)(a) must be awarded through a silent auction. The permits or licenses must be awarded to the applicant bidders who mail in completed

1 application forms and checks for the largest amount of money. The permit silent auction is open to both
2 residents and nonresidents. Residents may not bid on nonresident big game licenses.

3 ~~—— (c) The department shall notify and return checks to applicant bidders who did not receive a permit
4 or license. Bidder applicants are eligible to enter both the silent auction provided for in subsection (2)(b)
5 and the permit and license drawings pursuant to Title 87, chapter 2. If an applicant bidder is successful
6 in both the silent auction provided for in subsection (2)(b) and a drawing pursuant to Title 87, chapter 2,
7 the second permit or license is valid for the next hunting season.~~

8 ~~—— (d) (i) The department may recoup from auction proceeds the amount that the department would
9 have been paid from each license had the license been sold through a regular license sale.~~

10 ~~—— (ii) The department may not retain or expend more than 10% of the proceeds from the permits and
11 licenses sold pursuant to subsection (2)(b) for reasonable administrative costs and advertising of the silent
12 auction.~~

13 ~~—— (e) Within the budget constraints set out in subsection (2)(d)(ii), the department shall advertise
14 the auction of the permits and licenses set aside in subsection (2)(a) to maximize the bidding price.~~

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16 ~~—— **Section 2.** Section 17-7-502, MCA, is amended to read:~~

17 ~~—— **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory
18 appropriation is an appropriation made by permanent law that authorizes spending by a state agency
19 without the need for a biennial legislative appropriation or budget amendment.~~

20 ~~—— (2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply
21 with both of the following provisions:~~

22 ~~—— (a) The law containing the statutory authority must be listed in subsection (3).~~

23 ~~—— (b) The law or portion of the law making a statutory appropriation must specifically state that a
24 statutory appropriation is made as provided in this section.~~

25 ~~—— (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901;
26 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-23-706; 15-31-702;
27 15-34-115; 15-35-108; 15-36-324; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404;
28 16-1-406; 16-1-411; 17-3-106; 17-3-212; 17-3-222; 17-6-101; 17-7-304; 18-11-112; 19-3-319;
29 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107;
30 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301;~~

~~23-7-402; 37-43-204; 37-51-501; 39-71-503; 42-2-105; 44-12-206; 44-13-102; 50-4-623; 53-6-703;
53-24-206; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-1-505; 80-2-222; 80-4-416;
80-11-518; 81-5-111; 82-11-161; [section 1]; 87-1-513; 90-3-1003; 90-6-710; and 90-9-306.~~

~~———— (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,
paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued
pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of
Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as
determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the
bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to
sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for
supplemental benefit; pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1,
2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of
19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability
is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1,
2014; and pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, the inclusion of 15-35-108 and 90-6-710
terminates June 30, 2005.)"~~

~~———— NEW SECTION. Section 1. Appropriation. THERE IS APPROPRIATED \$60,000 FOR THE BIENNium ENDING
JUNE 30, 2003, FROM THE STATE SPECIAL REVENUE FUND OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS, FOR THE
PURPOSE OF MAKING GRANTS TO QUALIFIED SHOOTING RANGE FACILITIES UNDER 87-1-276 THROUGH 87-1-279. THIS
APPROPRIATION IS IN ADDITION TO THE APPROPRIATION IN HOUSE BILL NO. 2 FOR THE SHOOTING RANGE GRANT PROGRAM.~~

NEW SECTION. Section 1. Repealer. Section 9, Chapter 475, Laws of 1999, is repealed.

~~———— NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an
integral part of Title 87, chapter 1, part 2, and the provisions of Title 87, chapter 1, part 2, apply to
[section 1].~~

NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2001.

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